

**Maine Revised Statutes**  
**Title 20-A: EDUCATION**  
**Chapter 3: DEPARTMENT OF EDUCATION**

**§253. COMMISSIONER'S DUTIES**

The duties of the commissioner shall be as follows. [1981, c. 693, §§5, 8 (NEW).]

**1. General duties.** The commissioner shall exercise the powers and perform the duties granted to the department and enforce the requirements of this Title and shall devote full time to the duties of the office.

[ 1989, c. 502, Pt. A, §49 (AMD) .]

**2. Hiring.** The commissioner may hire personnel deemed necessary to fulfill the duties of the department. These personnel shall be subject to the Civil Service Law, except as provided in section 203.

[ 1985, c. 785, Pt. B, §78 (AMD) .]

**3. Delegation.** The commissioner may authorize a designee to carry out the assigned duties.

[ 1981, c. 693, §§5, 8 (NEW) .]

**4. Specific duties.** The commissioner also shall:

A. Coordinate, consolidate and prepare a budget for the department; [1981, c. 693, §§5, 8 (NEW) .]

B. Transfer personnel within the department to ensure their efficient utilization; [1981, c. 693, §§5, 8 (NEW) .]

C. Coordinate the purchase and use of all department equipment; [2001, c. 454, §2 (AMD) .]

D. Review the function and operation of the department to ensure that overlapping functions and operations are eliminated; and [2001, c. 454, §2 (AMD) .]

E. Provide leadership in the implementation of the system of learning results as established in section 6209. [2001, c. 454, §3 (NEW) .]

[ 2001, c. 454, §§2, 3 (AMD) .]

**5. Appointment of supervisors.** The commissioner may appoint supervisors to assist and direct elementary and secondary teachers to work with school officers and school boards on request and to perform other duties in the field of education. The salary and necessary traveling expenses of these supervisors shall be paid from an appropriation for that purpose.

[ 1981, c. 693, §§5, 8 (NEW) .]

**6. Agricultural education consultant.** The commissioner shall appoint, subject to the Civil Service Law, an Education Specialist III or higher or agricultural education consultant to be responsible for supervision of agricultural technical education, including agribusiness and agriculture's relation to the environment.

[ 2009, c. 213, Pt. D, §1 (AMD) .]

**7. School nurse coordinator.**

[ 2011, c. 380, Pt. DD, §1 (RP) .]

**8. Statewide support for efficiencies.** The commissioner may expend and disburse funds for the statewide support of operational efficiencies for school administrative units.

[ 2007, c. 240, Pt. C, §1 (NEW) .]

**9. Transition to standards-based educational system.** In order to facilitate the transformation of the public education system to one in which standards are used to guide curriculum and instruction and in which student advancement and graduation are based on student demonstration of proficiency in meeting educational standards, the commissioner may waive or alter any provision of this Title as specified in an approved plan for transitioning to proficiency-based graduation in accordance with section 4722-A as the provision pertains to requiring or prohibiting an action based on the age or grade level of a student. This authority applies to all age-based or grade-based requirements, except that the commissioner may not waive or alter:

A. Requirements imposed by federal law, or imposed by state law in order to comply with federal law, including but not limited to requirements relating to assessment and special education; [2011, c. 669, §1 (NEW) .]

B. Compulsory attendance and eligibility to enroll standards; [2011, c. 669, §1 (NEW) .]

C. Provisions relating to public funding, including tuition rates; [2011, c. 669, §1 (NEW) .]

D. Health-related provisions, if advised by health professionals not to alter the requirements; and [2011, c. 669, §1 (NEW) .]

E. Provisions of this Title that are not administered by the commissioner, including but not limited to certain provisions relating to institutions of higher education. [2011, c. 669, §1 (NEW) .]

The commissioner shall adopt rules to implement this subsection. Rules adopted pursuant to this subsection before July 1, 2013 are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A. Beginning July 1, 2013, rules adopted by the commissioner pursuant to this subsection are major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A.

[ 2011, c. 669, §1 (NEW) .]

**SECTION HISTORY**

1981, c. 693, §§5,8 (NEW). 1983, c. 859, §§A1,A25 (AMD). 1985, c. 142, §1 (AMD). 1985, c. 785, §B78 (AMD). 1989, c. 502, §A49 (AMD). 2001, c. 454, §§2,3 (AMD). 2007, c. 240, Pt. C, §1 (AMD). 2009, c. 213, Pt. D, §1 (AMD). 2011, c. 380, Pt. DD, §1 (AMD). 2011, c. 669, §1 (AMD).

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